

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

216143US0DIV

First Inventor or Application Identifier

Philippe M. ...

Title

BIOCOMPATIBLE IMPLANT FOR THE EXPRESSION AND IN VIVO  
SECRETION OF A THERAPEUTIC SUBSTANCE

Assignee Name: INSTITUT PASTEUR

Assignee Address: 25-28, rue du Dr.-Roux, F-75724 Paris, Cedex 15, FRANCE

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2. Specification

Total Sheets **45**

3. Drawing(s)  
(35 U.S.C. 113)

Total Sheets **11**

4. Oath or Declaration

Total Pages **3**

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation / divisional w/ box 17 completed)

i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in  
the prior application, see 37 C.F.R. §1.63(d)(2) and  
1.33(b).

5. ☐ CD-ROM or CD-R in duplicate, large table or Computer  
Program (Appendix)

6. ☒ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. Specification or Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☒ Paper

c. ☐ Statements verifying identity of above copies

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))

8. ☒ Application Data Sheet, 3 pages, See 37 CFR 1.76

9. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)

10. ☐ English Translation Document (if applicable)

11. ☒ Information Disclosure  
Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations

12. ☒ Preliminary Amendment

13. ☒ White Advance Serial No. Postcard

14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

15. ☐ Applicant claims small entity status.  
See 37 CFR 1.27

16. ☒ Other: Request for Priority  
Marked-up copy

jc973 U.S. PTO  
09/987601  
11/15/01

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application no.: 09/225,509

Prior application information: Examiner: NGUYEN

Group Art Unit: 1633

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is  
considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon  
when a portion has been inadvertently omitted from the submitted application parts.

18. Amend the specification by inserting before the first line the sentence:

☒ This application is a ☐ Continuation ☒ Division ☐ Continuation-in-part (CIP)

of application Serial No. 09/225,509 Filed on

January 6, 1999, allowed, which is a Divisional of Serial No.  
08/532,814 filed January 19, 1996, now U.S. Patent No. 5,906,817  
which was filed as International Application No. PCT/FR94/00456  
filed April 21, 1994.

☐ Which was published in English

☐ Which was not published in English

☐ This application claims priority of provisional application Serial No.

Filed

## 19. CORRESPONDENCE ADDRESS



**22850**

(703) 413-3000

FACSIMILE: (703) 413-2220

Name:	Norman F. Oblon	Registration No.:	24,618
Signature:		Date:	11/15/01
Name:	Daniel J. Pereira, Ph.D.	Registration No.:	45,518

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) Philippe MOULLIER et al

SERIAL NO: New Application

FILING DATE: Herewith

FOR: BIOCOMPATIBLE IMPLANT FOR THE EXPRESSION AND IN VIVO SECRETION OF A THERAPEUTIC SUBSTANCE

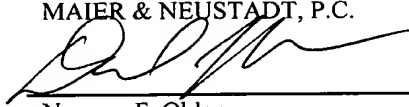
## FEE TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	60 - 20 =	40	× \$18 =	\$720.00
INDEPENDENT CLAIMS	3 - 3 =	0	× \$84 =	\$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$280 =	\$280.00
<input type="checkbox"/> LATE FILING OF DECLARATION			+ \$130 =	\$0.00
BASIC FEE				\$740.00
TOTAL OF ABOVE CALCULATIONS				\$1,740.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
<input type="checkbox"/> FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
TOTAL				\$1,740.00

- ☐ Please charge Deposit Account No. 15-0030 in the amount of \_\_\_\_\_ A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of **\$1,740.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAJER & NEUSTADT, P.C.

Norman F. Oblon  
Registration No. 24,618Daniel J. Pereira, Ph.D.  
Registration No. 45,518Date: 11/15/01**22850**Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/00)

0937501.11501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Philippe MOULLIER et al

SERIAL NO: New U.S. Application

FILED: Herewith

FOR: BIOCOMPATIBLE IMPLANT FOR THE EXPRESSION AND IN VIVO SECRETION OF A THROMBOCYTIC SUBSTANCE



REQUEST FOR PRIORITY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

- ☒ Full benefit of the filing date of U.S. Application Serial Number 09/225,509 filed January 6, 1999, which is a Divisional of Serial No. 08/532,814 filed January 19, 1996, which was filed as International Application No. PCT/FR94/00456 filed April 21, 1994 is claimed pursuant to the provisions of 35 U.S.C. §120.
- ☐ Full benefit of the filing date of U.S. Provisional Application Serial Number , filed , is claimed pursuant to the provisions of 35 U.S.C. §119(e).
- ☒ Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of 35 U.S.C. §119, as noted below.

In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>MONTH/DAY/YEAR</u>
FRANCE	93/04700	April 21, 1993
FRANCE	93/09185	July 26, 1993

Certified copies of the corresponding Convention Application(s)

- ☐ are submitted herewith
- ☐ will be submitted prior to payment of the Final Fee
- ☐ were filed in prior application Serial No. filed
- ☒ were submitted to the International Bureau in PCT Application Number PCT/FR94/00456 filed April 21, 1994.
- ☐ (A) Application Serial No.(s) were filed in prior application Serial No. filed ; and  
(B) Application Serial No.(s)
  - ☐ are submitted herewith
  - ☐ will be submitted prior to payment of the Final Fee

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon  
Registration No. 24,618

Daniel J. Pereira, Ph.D.  
Registration No. 45,518



22850

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/98)